



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:110
KRS 197.045; KRS 640.030; KRS
640.120
I-JBC-1E-09
2-CO-1E-05**

CHAPTER: Programs Services

AUTHORITY: KRS 15A.0652

**SUBJECT: Educational and Meritorious
Good Time Credit for Youthful Offenders**

POLICY NUMBER: DJJ 347.1

TOTAL PAGES: 4

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

Youthful offenders (YOs) who are convicted of, or plead guilty to a felony offense in circuit court, shall be subject to the same sentencing procedures as an adult convicted of a felony offense, including an award of educational good time and meritorious good time consistent with Kentucky Revised Statute (KRS) 640.030 and KRS 197.045.

II. APPLICABILITY

This policy shall apply to YOs.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Educational Good Time

1. YOs shall receive credit on their sentence for:
 - a. Successfully completing the general educational development test;
 - b. Successfully receiving a high school diploma;
 - c. A two (2) or four (4) year college degree;
 - d. Two (2) or four (4) year degree in applied sciences;
 - e. Completing a technical education program or an online or correspondence education program;

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- f. Successfully completing a drug treatment or other evidenced based program approved by the Department in the amount of ninety (90) days for each program completed; or
 - g. Successfully completing a civics education program that requires passing a final exam, in the amount of ninety (90) days per diploma, degree, or technical education program completed.
2. Completion of the educational program shall be verified by the school administrator.
3. Documentation and recommendations for an educational good time award shall be forwarded to the Superintendent and to the Offender Information Administrator, who shall review the documentation for accuracy.
4. An educational good time award for successful completion of the general educational development test or earned a high school diploma shall not be awarded to a YO who had successfully completed the general educational development test or earned a high school diploma prior to the time of placement into DJJ custody, except a for a YO who successfully completed the general educational development test in detention, prior to DJJ placement, during a period of time that will be credited as days served toward his sentence.

B. Meritorious Good Time

1. Meritorious good time shall be recommended as determined by the Department from the conduct of the YO. YOs may receive credit for the following:
 - a. Good behavior in an amount not exceeding ten (10) days for each month served, to be determined by the Department from the conduct of the YO.
 - b. Performing exceptionally meritorious service or performing duties of outstanding importance, at the discretion of the Commissioner, in an amount not to exceed seven (7) days per month.
 - c. Acts of exceptional service in times of emergency, at the discretion of the Commissioner, in an amount not to exceed seven (7) days per month.
2. Each facility shall identify monthly any youth that are eligible for meritorious good time consideration. Program staff shall review the YOs record to determine the amount of the total award to which the YO is eligible. Program staff shall forward recommendations to the Superintendent for approval or disapproval and signature. Upon approval the Superintendent shall forward the recommendation to the Offender Information Administrator for processing and verification.

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3. YO's may be considered for meritorious good time annually through their anniversary date, except youth that are due to be released by minimum expiration of sentence prior to their anniversary date shall be reviewed within ninety (90) days prior to the actual minimum expiration of their sentence. Each facility shall identify monthly any YO that is within ninety (90) days of minimum expiration of sentence.
4. If a YO was absent without leave (AWOL) or was adjudicated or convicted of an additional felony, which occurred while in a DJJ residential program, the six (6) month period following the return to the program from AWOL status or conviction of another felony shall not be considered for an award of meritorious good time
5. A meritorious good time award shall be awarded as determined by the Department of Corrections (DOC).
6. The meritorious good time award shall be reflected on the resident record card in both the facility and central office files.
7. Once an award period has been reviewed, future awards shall not include any previously considered time period.
8. Youth may be awarded meritorious good time for each full calendar month served. Meritorious good time may be awarded on jail or detention time or parole violation time. Partial months shall not enter into consideration for award amounts. For example, a youth who has seven (7) months and twenty (20) days credit shall only be reviewed for the seven (7) full months served.
9. Jail or detention credit and parole violation credit may be added together for calculation purposes.
10. Facility time shall be calculated in full month increments only and shall not be added to jail or detention credit or parole violation time.
11. A youth convicted as a juvenile sexual offender (JSO) shall not receive credit for meritorious good time until after completion of a sex offender treatment program (SOTP).
12. DJJ retains the authority to void or adjust the amount of the award at any time during the youth's incarceration, if a review of the record indicates that the award was made in error of law or applicable DJJ policy.

V. MONITORING MECHANISM

- A. Monitoring of education good time shall be performed by the Offender Information Administrator and the Education Branch.
- B. Monitoring of meritorious good time shall be performed by the Offender Information Administrator and the Superintendent.

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- C. The Offender Information Administrator shall monitor changes in educational good time procedures from Department of Corrections (DOC) and notify the Education Branch and Commissioners Office of any revisions.